

Mill Creek Task Force

Meeting: October 4 , 2007

Chico Hot Springs

Staff Conference Room

Present: Jim Robinson, MT DNRC, Dave Ponsin, 360 Ranch; Dusty Bourque, former Mill Creek property owner; Dave Rigler, Rancher and Mill Creek property owner; Carol Endicott, MT FWP; John Hale, Mill Creek property owner, Jan Mack, MT DNRC; Lynda Moss, Mill Creek property owner.

Conference call participants: Pat Byworth, Trout Unlimited; Elaine Hale, Mill Creek property owner; Walt Weismann, Mill Creek property owner; Andy Brummond, MT DNRC; Tony Eaton, Mill Creek Property Owner

Lynda welcomed everyone and thanked Ruth Ann from Chico for providing the meeting space and the MT DNRC for arranging for the conference call line.

Everyone was asked to review the agenda and make any additions. There were no additions to the agenda.

Task Force Goals and Expectations

Brainstorming about Issues and Options for the Future:

A shared perspective that fact-finding, gathering research and existing reports are the first steps that need to be taken to develop a fact sheet, pamphlet or report about Mill Creek.

While the main focus of the meeting was on water issues, discussion also focused on the opportunity to look at the broader picture of a healthy Mill Creek watershed that would also involve coordination with the US Forest Service regarding forest management, recreational interests and other issues.

As increased visitation to Yellowstone happens, Mill Creek, as one of the primary gateways to the Beartooth Absaroka Wilderness Area, will see increased use pressure. Looking at the Mill Creek watershed ecosystem as a whole is important for maintaining downstream productivity.

Several people attending expressed concern regarding over-appropriation of water and the need to use monitoring, education, and oversight to inform and advise interested persons about the Mill Creek system. Questions/concerns included:

- Can more water be kept in-stream given the natural hydrology and geologic conditions, and whether the Mill Creek system provides enough water for year-round surface flow in Mill Creek?
- The effect of conversion from flood to sprinkler irrigation and what, if any, impact there has been on groundwater and water well levels?

- Lack of oversight for surface water flow on Mill Creek and need for accurate information and impartial decision-making.

Several ideas emerged to potentially provide more water into Mill Creek (a.k.a. – instream flow enhancement alternatives) and increase surface water connection to the Yellowstone River:

1. explore the concept of using water from the Paradise Canal to augment flows and compensate water users on the lower part of Mill Creek;
2. explore the possibility of tapping deep groundwater for beneficial use;
3. Identify opportunities for additional water conservation and drought management;
4. explore leasing water from Mill Creek water right owners as a means to provide in-stream flow; and
5. Identify opportunities for water rights enforcement, including requirements for utilizing a court-appointed water commissioner to enforce the existing Mill Creek Decree.

Review of Maps and Water Allocation

Jim Robinson shared satellite images (LandSat), aerial photography, and preliminary maps showing the location of irrigation ditches, roads and property boundaries. The maps provide a context to understand the hydrology and biology of Mill Creek and plan for stream and diversion monitoring. All the information illustrated in the maps is from public information available on the Internet (<http://nris.mt.gov>).

Cursory examination of the maps shows that the historic extent of Mill Creek irrigation has remained relatively constant since the 1950s, and that the type of irrigation has changed from flood to sprinkler. Reportedly, agricultural productivity has increased (1.5 to 3 cuttings of hay per season) and residential subdivision has occurred adjacent to the Yellowstone River.

Proposed Hydrology Study

Jim Robinson distributed copies of a proposed flow monitoring plan for Mill Creek (attached). The purpose of installing a gauging network on Mill Creek will be to gather information about flow characteristics through both time and distance. In recent years, in the lower reaches, Mill Creek dries up almost entirely in late summer. The proposal identifies potential monitoring locations - four gage locations for continuous water level recorders and four gage locations for rated staff gauges. Where located on private property, monitoring point access would require landowner permission, and ditch operator approval must be gained in order to measure diversions. DNRC would provide the work and equipment. The flow monitoring would continue for several years after installation of the network.

“According to DNRC Water Measurement Program in 1993, there are approximately 3,400 acres irrigated by Mill Creek water. Approximately 75% of these lands are served by sprinkler irrigation and the majority of these parcels lie outside of the Mill Creek watershed, so any return flows go to the Yellowstone River, not back to Mill Creek.”

DNRC will also analyze historic data available from hydrology work in the 1950s on Mill Creek and the Yellowstone River. Other pertinent data including snow pack and on-going droughts in Montana will be compiled and analyzed as part of the work. (See attached proposal for more details and map)

Human History and Proposed Cultural Research

Susan Gilbertz, Professor of Environmental Studies at Montana State University-Billings has offered to conduct a series of interviews of Mill Creek Watershed residents and work with a student intern to help write a cultural and natural resource guide book or informational pamphlet. Susan would be available to do this in the spring and the only cost would be modest funds for travel assistance. Susan recently completed an extensive oral history project for the Corps of Engineers work on the Yellowstone River.

Water Rights - Status of Adjudication

Jan Mack shared the Mill Creek Water Resource Book he brought to the meeting and provided those attending with his knowledge of Mill Creek and the mid-'90's irrigation project which involved the building of the pipeline and the funding of pivot irrigation systems for several Mill Creek Watershed ranch owners who held water rights.

Jan Mack reported the 2004 Mill Creek Enforcement Project reflects the most accurate information regarding water rights on Mill Creek. Since an enforceable water right court decree exists, the water rights adjudication process ongoing throughout the state does not need to conclude before Mill Creek enforcement can begin.

Fundraising and Coordination of Existing Information

There is a long history of water development, agency involvement and technical information regarding Mill Creek. The group discussed reports and research conducted by various state and federal agencies on behalf of various projects. Representatives of the agencies present at the meeting agreed to forward pertinent reports or research on Mill Creek to Jim Robinson for inclusion in a baseline report.

Trout Unlimited representative, Pat Byworth volunteered to assist with research and grant writing. Trout Unlimited will serve as fiscal agent for the Task force. Carol Endicott stated MT FWP will share the research they have done in support of water leasing and cutthroat trout habitat enhancement on Mill Creek. There is also a research study by Duncan Patton on the Mill Creek system that would be helpful. It was also suggested the group contact Ron Hoagland to provide the NRCS history and perspective. Lynda shared the preliminary contact list and asked for corrections and additions.

Next steps:

- Forward data and existing technical information on Mill Creek to Jim Robinson
Representatives of various agencies
- Further develop instream flow enhancement alternatives

Task Force, Jim Robinson, Jan Mack, Dave Amman

- Continue developing contact list
Lynda Moss
- Work on a schedule for meetings of the Task Force
Task Force, Jim, Tony, Pat and Elaine
- Further refine Hydrology Study (flow monitoring proposal) including feasibility and monitoring site access permission
Jim Robinson, Dave Amman
- Develop proposal for Cultural Resource Project by MSU-Billings
Lynda Moss, Susan Gilbertz
- Work on strategy and schedule for watershed meetings to broaden stakeholder involvement – Task Force, open for discussion at next meeting
- Develop goals and objectives draft document
Lynda, Elaine and Barry

**Next Meeting: November 15, 3PM
Chico Hot Springs**